







COMMISSIONER FOR PATENTS UNITED STATES PATENT AND TRADEMARK OFFICE WASHINGTON, D.C. 20231 www.uspto.gov

APPLICATION NUMBER FILING/RECEIPT DATE FIRST NAMED APPLICANT ATTORNEY DOCKET NUMBER 10/005,433 11/02/2001

Robert McNamara

397

CANTOR COLBURN LLP 55 Griffin Road South Bloomfield, CT 06002

**CONFIRMATION NO. 8114 FORMALITIES LETTER** \*OC000000007689713\*

Date Mailed: 03/21/2002

#### NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

#### Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(I) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

A copy of this notice <u>MUST</u> be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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Attorney Docket No. 39/

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Robert McNamara, et al.	)
Serial No.: 10/005,433	) Group Art Unit: 2633
Filed: November 2, 2001	) Examiner: Unassigned
For: METHOD AND SYSTEM FOR DETECTING NETWORK ELEMENTS IN AN OPTICAL COMMUNICATIONS NETWORK	) ) ) )
Attn: Box Missing Parts Assistant Commissioner for Patents Washington, D.C. 20231	

Sir/Madam:

## TRANSMITTAL LETTER

Applicant encloses the following documents in response to the Notice To File Missing Parts Of Application dated March 21, 2002:

- 1. Response To Notice To File Missing Parts Of Application (in duplicate, with authorization to charge our Deposit Account);
- 2. Petition for Extension of Time;
- 3. Form PTO-1533;
- 4. Combined Declaration and Power of Attorney;
- 5. Assignment to CIENA Corporation; and
- 6. Recordation Cover Sheet.

Certification Under 37 C.F.R. Section 1.10

I hereby certify that this Transmittal Letter and the documents referred to as enclosed therein is being deposited with the United States Postal Service on this 21th day of June, 2002 in an envelope as "Express Mail Post Office to Addressee" Mail Label Number EV135776985US addressed to Commissioner of Patents and Trademarks, Washington, D.C. 20231.

type or print ratie of person mailing pap

(signature of person mailing paper)

Please charge the late filing fee or oath or declaration surcharge of \$130.00 to our Deposit Account No. 50-0308.

If there are any other fees due in connection with the filing of this response, please charge such fees to our deposit account. If a fee is required for an extension of time under 37 C.F.R.

1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

Dated: June 21, 2002

By:

Michael R. Cammarata

Reg. No. 39,491

CIENA Corporation Legal Department 1201 Winterson Road Linthicum, MD 21090 (410) 865-8500 (410) 865-8001 (fax)



PATENT Attorney Docket No. 397

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Attn: Box Missing Parts

**Assistant Commissioner for Patents** 

Washington, D.C. 20231

Sir/Madam:

# RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

In response to the communication of March 21, 2002, the period for response to which has been extended through June 21, 2002 by a Petition for Extension of Time and fee payment filed contemporaneously herewith, Applicants submit a Declaration/Power of Attorney for filing in the above-identified application, and a copy of the Notice of Missing Parts. Authorization is hereby granted to charge the late filing fee or oath or declaration surcharge of \$130.00 to our Deposit Account No. 50-0308. A copy of this Response is submitted herewith.

Please associate the enclosed declaration with the above-identified application.

If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account. If a fee is required for an extension of time under 37 C.F.R. §

1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

Ву:

Dated: June 21, 2002

Michael R. Cammarata

Reg. No. 39,491

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2